

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re United States Patent Application of:) Docket No.: 2780-105 DIV2
Applicant: Henry B. Kopf) Examiner: David A. REDDING
Application No.: 09/829,217) Art Unit: 1744
Date Filed: April 9, 2001) Confirm. No.: 8633
Title: CULTURE DEVICE AND METHOD) Customer No.: 23448

FACSIMILE TRANSMISSION CERTIFICATE

ATTN: Examiner David A. REDDING

Fax No.: (703) 872-9306

I hereby certify that this document is being filed in the United States Patent and Trademark Office, via facsimile transmission to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on the date specified hereinafter, to United States Patent and Trademark Office facsimile transmission number (703) 872-9306.

24 (total including accompanying Response)

Number of Pages

Steven J. Hultquist

June 24, 2005

Date

TERMINAL DISCLAIMER FOR U.S. PATENT APPLICATION NO. 09/829,217

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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Sir:

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The disclaimant, MFD, Inc., a North Carolina corporation having an address of 304 Lynden Valley Court, Cary, NC 27519, verifies through its duly authorized representative that it is the owner of all right, title and interest in the above-identified application, U.S. patent application no. 09/829,217 by virtue of an assignment recorded on April 1, 2005 at Reel 015994, Frame 0465 (two pages) of the USPTO assignment records.

The disclaimant hereby disclaims the terminal part of any patent issued on the present application no. 09/829,217 that would extend beyond the expiration date of the full statutory term of U.S. Patent 6,214,574 issued April 10, 2001, based on U.S. patent application no. 09/397,291, which is owned by the disclaimant by virtue of an assignment recorded on December 17, 2004 at Reel 015469, Frame 0619 of the USPTO assignment records.

Disclaimant further agrees that any United States patent so granted on the above-identified application no. 09/829,217, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 6,214,574, this agreement to run with such patent and to be binding upon the grantee and its successors and assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application 09/829,217 which is prior to the expiration of the full statutory term of U.S. Patent 6,214,574, in the event that U.S. Patent 6,214,574 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The amount of \$65.00 as the fee specified in 37 CFR §1.20 (d) for the filing of this Terminal Disclaimer, is hereby authorized to be charged to the credit card identified in the enclosed credit card authorization form submitted herewith. Authorization further is given to charge the amount that any additional fee or amount properly payable for entry of this Terminal Disclaimer or Response submitted herewith, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

I, Steven J. Hultquist, represent that I am the principal attorney of record in United States Patent Application No. 09/829,217 and am authorized to execute this disclaimer on behalf of MFD, Inc. I further declare that the evidentiary documents of ownership have been reviewed and I certify that, to the best of disclaimant's knowledge and belief, title is in the disclaimant seeking to take action.

I hereby declare that all statements of fact made herein are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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